
T

Theft

SEE: Unauthorized uses.

Tidelands

RCW 79.90.030: "First class tidelands."

Whenever used in chapters 79.90 through 79.96 RCW the term "first class tidelands" means the shores of navigable tidal waters belonging to the state, lying within or in front of the corporate limits of any city, or within one mile thereof upon either side and between the line of ordinary high tide and the inner harbor line; and within two miles of the corporate limits on either side and between the line of ordinary high tide and the line of extreme low tide.

RCW 79.90.035: "Second class tidelands."

Whenever used in chapters 79.90 through 79.96 RCW the term "second class tidelands" means the shores of navigable tidal waters belonging to the state, lying outside of and more than two miles from the corporate limits of any city, and between the line of ordinary high tide and the line of extreme low tide.

WAC 332-30-106 Definitions.

(63) "Second class tidelands"...To determine if the tidelands are more than two miles from the corporate limits of a city, the distance is measured along the shoreline from the intersection of the corporate limit with the shoreline.

WAC 332-30-106 Definitions.

Tidelands

(18) "Extreme low tide" means the line as estimated by the federal government below which it might reasonably be expected that the tide would not ebb. In Puget Sound area generally, this point is estimated by the federal government to be a point in elevation 4.50 feet below the datum plane of mean lower low water, (0.0). Along the Pacific Ocean and in the bays fronting thereon and the Strait of Juan de Fuca, the elevation ranges down to a minus 3.5 feet in several locations.

(45) "Ordinary high tide" means the same as mean high tide or the average height of high tide. In Puget Sound, the mean high tide line varies from 10 to 13 feet above the datum plane of mean lower low water (0.0).

Discussion on tidelands

Tidelands are part of state-owned aquatic lands, and generally are those areas along the shores of marine waters. In most things, they are treated identically to shorelands. SEE ALSO: State-owned aquatic lands; Tidelands.

Tidelands and shorelands are classified as either first or second class. The class designation indicates the location of the site relative to the boundaries of incorporated city limits. First-class tidelands and shorelands are within two miles of incorporated city limits. Second-class tidelands and shorelands are more than two miles from the boundary of incorporated city limits. As city limits change, the classification of a given area of land may change. Besides location, the most important difference between first and second class tidelands and shorelands is that upland owners abutting first class tidelands and shorelands have a preference right to lease those lands. For more information on leasing preferences, SEE ALSO: Use authorizations.

For many years, tidelands were routinely sold by the state. Approximately 29 percent of the state's tidelands remain in public ownership. Within the Puget Sound basin, however, the most heavily populated area of the state, the public owns only about 18 percent of the tidelands. In 1971, the Legislature prohibited the sale of tidelands except to other public entities, and then only if the land will be used solely for

municipal or state purposes. However, the department rarely sells tidelands. For more information on sales of aquatic lands, SEE ALSO: State-owned aquatic lands.

Transient moorage

Discussion on transient moorage

Short-term or transient moorage and residence on a vessel on state-owned aquatic lands is allowed without specific department authorization. The determination of what is transient moorage, as opposed to long-term or permanent residential use which does require authorization, must be made on a case-by-case basis. The following are indicators of a transient, not permanent, residential use:

- # Moorage and habitation in one location for no more than 30 consecutive days. The 30 day limit is to be strictly enforced in waterways, but also is a general indicator in other areas. SEE ALSO: Waterways.
- # Moorage and habitation in one location for no more than an aggregate of 90 days in any year. "One location," in this context, means anywhere within the same marina or surrounding embayment. A change in moorage within a marina or between marinas in the same embayment or a change in anchorage within an embayment does not constitute a new location.
- # The inhabitation does not meet any of the criteria for permanent residential uses. SEE ALSO: Residential uses.

The first two indicators listed above are general, flexible standards. The objective is to prevent the conversion of acceptable water-dependent activities (boating and moorage) into permanent nonwater-dependent residential uses. If one or more of these indicators suggest the presence of a

permanent residential use in a location where only transient moorage and residence is provided for, staff should conduct a site visit or other appropriate measures to determine compliance with department requirements and whether further action should be taken. This should include meeting with a marina owner, if applicable.

TRANSIENT MOORAGE: ANCHORAGES

WAC 332-30-139: Marinas and moorages.

(2) Anchorages suitable for both residential and transient use will be identified and established by the department in appropriate locations so as to provide additional moorage space.

Discussion on transient moorage: anchorages

The department may establish anchorage suitable for residential and transient use in appropriate locations. For transient uses, this amounts to establishing areas for mooring buoys. SEE ALSO: Mooring buoys.

Transmission lines

SEE: Linear projects; Utility lines.

Transportation

SEE: Commercial and industrial uses; Bridges and roads.

Trespass

SEE: Unauthorized uses.